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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ruben et al.

Application Serial No.: 09/661,453

Art Unit: 1631

Filed: September 13, 2000

Examiner: Marschel, A.

For: Secreted Protein HATCM08  
(as amended)

Attorney Docket No.: PZ038P1

H14/B  
Plunkett  
9/11/02**RESPONSE AND AMENDMENT**  
**UNDER 37 C.F.R. § 1.111**Commissioner For Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated June 18, 2002, (Paper No. 12), please consider the following amendments and remarks. Applicants submit concurrently herewith: (a) a Fee Transmittal Sheet, accompanied by the appropriate fee; (b) a Version With Markings To Show Changes Made; and (c) the Declaration of George Komatsoulis Under 37 C.F.R. § 1.132 (Exhibit A).

**In the Specification:**

Please amend the title paragraph found at page 1, line 1 to read as follows:

**Secreted Protein HATCM08**

Please delete the paragraph found at page 11, spanning lines 12-43.

**In the Claims:**Please cancel claims 11, 12, 16, ~~37-38~~, 44-45, 51-52, and 58-59 without prejudice or disclaimer.

Please amend the claims as follows.

B1 sub 3) 36. (Once Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of amino acid residues 24 to 105 of SEQ ID NO:73.